

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

MICHAEL HINES

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NO. 3:19-CR-75-9

ORDER

Magistrate Judge C. Clifford Shirley, Jr. filed a report and recommendation, recommending that the Court: (1) find that the plea hearing in this case could not be further delayed without serious harm to the interests of justice; (2) grant Defendant's motion to withdraw his not guilty plea to Count One of the Indictment; (3) accept Defendant's plea of guilty to the lesser included offense in Count One of the Indictment, that is, conspiracy to distribute and possession with intent to distribute a quantity of cocaine, a Schedule II controlled substance, in violation of 12 U.S.C. §§ 846 and 841(a)(1); (4) adjudicate Defendant guilty of the charge in the lesser included offense set forth in Count One of the Indictment; and (5) find that Defendant remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 348) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) As set forth on the record, Defendant's plea hearing could not be further delayed without serious harm to the interests of justice;

(2) Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;

(3) Defendant's plea of guilty to the lesser included offense of Count One of the Indictment, that is, conspiracy to distribute and possession with intent to distribute a quantity of cocaine, a Schedule II controlled substance, in violation of 12 U.S.C. §§ 846 and 841(a)(1), is **ACCEPTED**;

(4) Defendant is hereby **ADJUDGED** guilty of the lesser included offense charges set forth in Count One of the Indictment;

(5) Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **January 14, 2021 at 11 a.m.** before the Honorable Harry S. Mattice, Senior United States District Judge.

SO ORDERED.

/s/ Harry S. Mattice Jr.
HARRY S. MATTICE, JR
SENIOR UNITED STATES DISTRICT JUDGE
November 4, 2020